IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 20441 of 2007(H)

PETITIONER:

BAIJU.A., ANANDA BHAVAN, KILIKOLLOOR.P.O
KOLLAM 691 004.

BY ADV. SRI.B.SURESH KUMAR

RESPONDENTS:
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1. THE REGIONAL TRANSPORT AUTHORITY, KOLLAM

2. THE SECRETARY,
THE REGIONAL TRANSPORT AUTHORITY, KOLLAM.

3. THE MAHAVEER AUTO FINANCE
NO.9, KANDAPPA MUDALI STREET,
SOWCARPET, CHENNAI 600 079.

BY GOVERNMENT PLEADER SRI.M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE LETTER RECEIVED BY THE PETITIONER FROM THE 3RD RESPONDENT ON 22/2/2005.

EXT.P2: COPY OF THE RECEIPT DATED 8/4/2005 FOR AN AMOUNT OF Rs.10,000/- ISSUED TO THE PETITIONER BY THE 3RD RESPONDENT.

EXT.P3: COPY OF THE RECEIPT DATED 1.6.2005 FOR AN AMOUNT OF Rs.7,000/- ISSUED TO THE PETITIONER BY THE 3RD RESPONDENT.

EXT.P4: COPY OF THE LETTER DATED 12.4.2007 SENT TO THE 3RD RESPONDENT BY THE PETITIONER.

EXT.P5: COPY OF THE ACKNOWLEDGMENT DATED 16.4.2007 SIGNED BY THE 3RD RESPONDENT.

EXT.P6: COPY OF THE LETTER DATED 16.5.2007 SENT TO THE 3RD RESPONDENT BY THE PETITIONER.

EXT.P7: COPY OF THE ACKNOWLEDGMENT DATED 19.5.2007 SIGNED BY THE 3RD RESPONDENT.

EXT.P8: COPY OF THE APPLICATION DATED 25/6/2007 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P9: COPY OF THE AFFIDAVIT DATED 26/6/2007 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

TRUE COPY

P.A.TO JUDGE

S. SIRI JAGAN, J.

W.P.(C)NO.20441 OF 2007

DATED THIS THE 1st DAY OF AUGUST, 2007

JUDGMENT

The petitioner purchased a vehicle on hire purchase. The entire hire amount with interest was paid on 14.10.05. The petitioner applied before the 1st respondent for cancellation of the endorsement of hire purchase in the registration certificate of the vehicle. Since the 3rd respondent, owner did not issue No Objection Certificate for cancellation of hire purchase endorsement, Exts.P4 and P6 notices were issued to him in terms of Section 51(6) of the Motor Vehicles Act. In spite of acknowledging receipt of the same vide Exts.P5 and P7, he did not respond to the same. In the above circumstances, the petitioner filed Ext.P8 along with Ext.P9 affidavit. The petitioner's grievance in this writ petition is that no orders are being passed by the 1st respondent on Exts.P8 and P9. Therefore, the petitioner seeks expeditious disposal of Exts.P8 and P9.

2. I have heard the learned Government pleader also. Having heard both sides, I dispose of this writ petition with a

direction to the 1st respondent to take appropriate steps as warranted by law on Exts.P8 and P9 as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment. I also note the fact that in spite of receipt of notice, the 3rd respondent has not cared to enter appearance in this writ petition also. This fact shall also be taken into account by the 1st respondent while passing orders.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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